



ALLIANCE FOR THE GREAT LAKES

**Testimony of Cheryl Mendoza of the Alliance for the Great Lakes on
SB 850 – 852, 854, and 857 before the
House Natural Resources, Great Lakes, Land Use, and Environment Committee**

Good afternoon. My name is Cheryl Mendoza and I am the Manager of Water Conservation Programs for the Alliance for The Great Lakes, the oldest Great Lakes citizens' organization. The Alliance has been actively involved in Great Lakes protection since its founding in 1970.

Here in our backyards we have one of the natural wonders of the world, a gift of nature, and an economic engine for our region – the Great Lakes. Their beauty and bounty enriches our lives. These precious waters are a resource for us to use and protect. Today, persistent pollution, invasive species, and the interests of those who would export or waste our precious lake waters for a profit threaten our Great Lakes. Historically, we have often waited until disaster happens before reacting such as with our white pine forests, once thought to be an inexhaustible resource, clear-cut and left Michigan in economic and ecological disaster. The same wasteful thinking of a seemingly inexhaustible resource added to the crash of many commercial fishing operations. We are seeing red flags today with Michigan's waters – another seemingly inexhaustible resource. In one of the most water rich areas of the world, we are having water shortages. I am sure you have all heard the stories from Mecosta, Saginaw, Monroe and Oakland counties. The question is, are we going to learn from our mistakes of the past and not wait for disaster to act. Though almost 10 million Michiganders drink it every day, there is no plan (yet) that will ensure the long-term

protection and sound management of our water – but the Senate package before this Committee holds great promise to fulfill that needed role. Having said that, we believe there are three amendments needed to ensure this package will provide true protections and sound management.

Assert Decision Making Authority of Diversions and Protect Against Harm

First, any diversion of Great Lakes water must be approved by the legislature. Currently, the only true defense we have against a Great Lakes diversion is the Water Resources Development Act (or WRDA) – a federal law that gives the Governors of the Great Lakes states the authority to veto out-of-basin diversions -- which could be amended or repealed at any time and is currently being challenged. This would leave Michigan with no at home authority to grant or deny diversion proposals. Secondly, the definition of adverse resource impact needs to be expanded to include damages to natural resources located on people's private property caused by a water withdrawal, or impacts to other water-dependent natural resources without fish populations. My colleagues here today that are also part of the Great Lakes, Great Michigan Coalition, a coalition of 48 organizations endorsing these amendments, will expand on these two needed amendments. I will focus my discussion on a third amendment – responsible use of Michigan's water.

Require Voluntary, Responsible Use of Michigan's Water

A goal of this package should be to achieve responsible use of Michigan's water using Best Management Practices for water conservation. Being good stewards of water resources will decrease the risk of adverse resource impacts. It will also be critical if we ever need to fight an unwise diversion of Great Lakes water. If we require the efficient use of water in Michigan, we can mandate a potential diverter of Great Lakes water to show why they could not satisfy their water needs through the more efficient use of their current water resources. The flip side is that

if we don't require responsible use of our water here are home, we may not be able to deny wasteful diversion schemes challenged under constitutional and international trade laws. We propose an amendment that would require each water-using sector to develop generally accepted water management practices for their industry. Each user within that sector would then certify that they are following those practices when they register their use with the state. The purpose of this amendment is to prevent wasteful water practices and foster educational efforts to users on how to use water more efficiently. We applaud the agricultural community's successful demonstration of how, armed with the right tools, responsible use of water becomes an attractive, money saving, and stewardship opportunity.

Conclusion

Water is the underpinning to our economy in the Upper Midwest and some jurisdictions already have strong water protections on the books—Minnesota and Ontario for example. These laws make great sense; and despite critics' cries to the contrary they have not led to any job loss or economic harm. Moreover, with political representation shifting away from the Great Lakes states, a strong homegrown policy is the best way to ensure we're allowed to manage Michigan's waters for Michigan residents and businesses. In closing, I would like commend those of you working to grow bi-partisan efforts to care for the Great Lakes.

